

ESTTA Tracking number: **ESTTA673140**

Filing date: **05/19/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Got Bait		
Entity	Sole Proprietor	Citizenship	Nevada
Address	1286 Flora Glen Sparks, NV 89434 UNITED STATES		

Correspondence information	Annette Wells Got Bait 1286 Flora Glen Sparks, NV 89434 UNITED STATES gotbaitdelivery@yahoo.com Phone:775-722-4625
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Applicant Information

Application No	86455268	Publication date	04/21/2015
Opposition Filing Date	05/19/2015	Opposition Period Ends	05/21/2015
Applicant	Pautzke Bait Co., Inc. 800 Prospect Street Ellensburg, WA 98926 UNITED STATES		

Goods/Services Affected by Opposition

Class 025. First Use: 0 First Use In Commerce: 0
All goods and services in the class are opposed, namely: t-shirts and caps; t-shirts and caps, sold and distributed to promote a line offishing accessories

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Other	I have been doing business using this mark for three years.

Mark Cited by Opposer as Basis for Opposition

U.S. Application No.	86610036	Application Date	04/26/2015
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	GOT BAIT		

Design Mark	<h1>Got Bait</h1>
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 0 First Use In Commerce: 0 Athletic pants; Athletic shirts; Athletic shorts; Baby bodysuits; Baby bottoms; Baby tops; Balaclavas; Bandanas; Bathing suits; Beach cover-ups; Beanies; Bermuda shorts; Blouses; Board shorts; Bottoms; Boxer briefs; Boxer shorts; Button down shirts; Camouflage gloves; Camouflage jackets; Camouflage pants; Camouflage shirts; Camp shirts; Capri pants; Children's and infant's apparel, namely, jumpers, overall sleepwear, pajamas, rompers and one-piece garments; Children's and infants' cloth bibs; Children's headwear; Coats for men and women; Fishermen's jackets; Fishing shirts; Fishing vests; Fleece bottoms; Fleece pullovers; Fleece shorts; Fleece tops; Gloves; Hooded pullovers; Hooded sweat shirts; Hooded sweatshirts; Infant and toddler one piece clothing; Jogging outfits; Lingerie; Long johns; Panties; Polo shirts; Skull caps; Snap crotch shirts for infants and toddlers; Socks; Sweatpants; Sweatshirts; Swimsuits; Tank tops; Ties; Yoga pants; Yoga shirts

Related Proceedings	86610036
Attachments	86610036#TMSN.png(bytes) Statement of Claim for Opposition of Got Bait.pdf(200540 bytes)

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Annette Wells/
Name	Annette Wells
Date	05/19/2015

Statement of Claim for Opposition of Got Bait

1. I feel I have priority for the use of "Got Bait" I have been doing business under the name of "Got Bait" since 2013. I have been licensed under this name since July 2013 in the State of Nevada. I have been using statements and business cards with "Got Bait" on them. I have placed my business card in an unopened envelope dated August 30th 2013 as my proof. Since this time I have added Got Bait to water bottles, Shirts, Sweatshirts and sweatpants. I am trying very hard to get enough money together to go into full production with my Label.
2. I am afraid that the trademark in question would cause confusion with my Label and my future production of my line.